

**3718 E. San Antonio**



**MAY 21 2004**



DANGER  
PEL

MAY 21 2004



MAY 21 2004



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MAY 21 2004





MAY 21 2004

CITY CLERK DEPARTMENT  
2004 MAY 20 COUNCIL AGENDA ITEM # \_\_\_\_ FOR  
TUESDAY, MAY 25<sup>th</sup>, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

May 18, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 3718 E. San Antonio Avenue (Rep. District #3)

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated February 10<sup>th</sup>, 2004. The building was found to be in an advanced state of disrepair. The building has been used as a harborage by unwanted persons.
- 2) A certified condemnation letter was mailed to Luisa N. Aguilar, 1010 E. Cliff Drive, El Paso, Texas 79902.
- 3) Certified notices of the public hearing scheduled May 25<sup>th</sup>, 2004 were mailed to the owners and all interested parties on May 10<sup>th</sup>, 2004.
- 4) As of March 30<sup>th</sup>, 2004, there are no taxes owed.
- 5) There has been no response from the owner.

The Department recommends that it be found:

- 1) That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the building is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure can not be repaired; and
- 5) That the structure be demolished within 30 days; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 30 days.

copy

JOE WARDY  
MAYOR



## CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING Jr.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

### BUILDING PERMITS AND INSPECTIONS CODE COMPLIANCE February 10, 2004

Luisa N. Aguilar  
1010 E. Cliff Dr.  
El Paso, Texas 79902-4624

Re: 3718 E. San Antonio Ave.  
Lots: S Pt. of 6 & 7 (120 Ft. on E,  
50 Ft. on S, 100 Ft. on W, 53.85  
Ft. on N)  
Blk: 23, Woodlawn  
Zoned: A-3  
COD04-01980  
Certified Mail Receipt #  
7003 1680 0000 1711 9514

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

3718 E. San Antonio Avenue

- c. Boarded up, fenced, or otherwise secured in any manner in if:
  - i. The building constitutes a danger to the public even though secured entry, or
  - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 3718 E. San Antonio Avenue has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The plumbing system is inadequate and does not meet minimum code requirements.
- g. The electrical system is inadequate and does not meet minimum code requirements.
- h. The HVAC system is inadequate and does not meet minimum code requirements.
- i. The structure is open and accessible to unauthorized entry.
- j. The premises are full of weeds, trash, and debris.
- k. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.

3718 E. San Antonio Avenue

- I. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:




Leo CassoLopez  
Building Inspector

LCL/rl



Luisa N. Aguilar  
1010 E. Cliff Dr.  
El Paso, Texas 79902-4624  
Re: 3718 E. San Antonio Ave.

 The City of El Paso  
Two Civic Center Plaza  
El Paso, Texas 79901-1196  
**Building Permits and Inspections**  
**Code Enforcement**



7003 1680 0000 1711 9514

RETURN RECEIPT REQUESTED

Luisa N. Aguilar  
1010 E. Cliff Dr.  
El Paso, Texas 79902-4624

CR. INT

## NOTE

2014-2015



7330240 52503 1156

*[Illegible handwritten notes]*

## Receipt

102595-02-M-1540

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 25<sup>th</sup> day of May, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3718 E. San Antonio, in El Paso, Texas, which property is more particularly described as:

Lots: 6 and 7, Save and Except a portion thereof, Block 23, W.B. LATTA'S ADDITION "WOODLAWN", An Addition to the City of El Paso, El Paso County, Texas,

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Luisa N. Aguilar, 1010 E. Cliff Dr., El Paso, Texas 79902, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:

CERTIFIED MAIL RECEIPT #7003 2260 0002 9957 3056

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

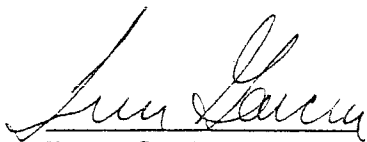
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

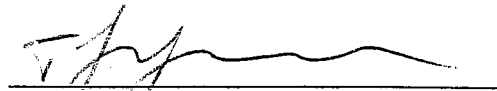
Adopted this 27<sup>th</sup> day of April, 2004.

APPROVED AS TO FORM:



Teresa Garcia  
Assistant City Attorney

APPROVED AS TO CONTENT:



Tom Maguire  
Housing Compliance Supervisor

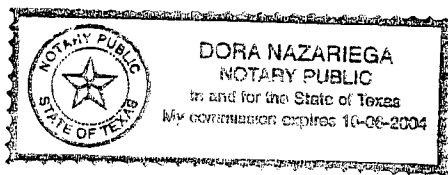
I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice April 27<sup>th</sup>, 2004 regarding the property located at 11260 Montana Avenue, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

  
Richarda Duffy Momsen

Executed this 27<sup>th</sup> day of April, 2004 on behalf of  
the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

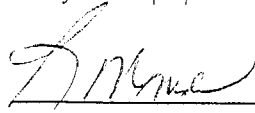
STATE OF TEXAS  
COUNTY OF EL PASO

Subscribed and sworn to before me, this 5<sup>th</sup> day of May, 2004.



  
Notary Public

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property located at 3718 E. San Antonio, was PUBLISHED in the official City newspaper on the 24<sup>th</sup> day of April, 2004.

  
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Luisa N. Aguilar  
1010 E. Cliff Dr.  
El Paso, Texas 79902

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Luisa N. Aguilar  
3718 E. San Antonio  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Jaime Aguilar  
3718 E. San Antonio  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Juan Manuel Torres  
144 N. Glenwood Dr.  
El Paso, Texas 79905

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Josefina A. Hernandez  
3718 E. San Antonio  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (HAND-DELIVERED) to:

City of El Paso  
C/O City Clerk  
#2 Civic Center Plaza  
El Paso, TX 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe  
AKA Tigua Indian Community  
119 S. Old Pueblo Road  
El Paso, Texas 79907

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated April 27<sup>th</sup>, 2004 regarding the property at 3718 E. San Antonio, was (MAILED CERTIFIED-RETURN RECEIPT REQUESTED) to:

El Paso Central Appraisal District  
5801 Trowbridge Ave.  
El Paso, Texas 79925

Date: \_\_\_\_\_

Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at 3718 E. San Antonio, El Paso, Texas.

Date: \_\_\_\_\_

Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

7003 2260 0002 9957 3056

U.S. Postal Service	
<b>CERTIFIED MAIL RECEIPT</b>	
(Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	MAY 10 2004
Restricted Delivery Fee (Endorsement Required)	
Luis N. Aguilar 1010 E. Cliff Dr. El Paso, Texas 79902 Re: 3718 E. San Antonio Avenue	
PS Form 3800, June 2002 See Reverse for Instructions	

22

Postmark  
Here





# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** May 6, 2004

**REP. DISTRICT:** 3

**ADDRESS:** 3718 E. San Antonio Avenue

**ZONED:** A-3

**LEGAL DESCRIPTION:** Lots: 6 and 7, Save and Except a portion thereof, Block 23, W.B. LATTA'S ADDITION "WOODLAWN", An Addition to the City of El Paso, El Paso County, Texas

**OWNER:** Luisa N. Aguilar

**ADDRESS:** 1010 E. Cliff Dr., El Paso, Texas 79902

**BUILDING USE:** Abandoned single-family unit.

**TYPE OF CONSTRUCTION:** V, Adobe and brick walls with wood frame roof.

**FOOTINGS:** Reinforce concrete.

**CONDITION:** Unable to determine condition of footing due to subterranean placement. A structural engineer should be hired to evaluate actual condition.

**FOUNDATION WALL:** Reinforce concrete

**CONDITION:** Unable to determine condition of footing due to subterranean placement. A structural engineer should be hired to evaluate actual condition

**FLOOR STRUCTURE:** Wood frame with wood planks.

**CONDITION:** Bad – All of the flooring needs replacing. A registered contractor must be hired to evaluate the flooring system and submit a report of required corrections to bring the flooring system into compliance.

**EXTERIOR WALLS:** Adobe and brick.

**HEIGHT:** 10'+/-

**THICKNESS:** 10'+/-

**CONDITION:** Bad. Due to lack of maintenance and exposure to the elements, some of the wall system is failing around the interior and exterior at ground level. A structural engineer should be hired to evaluate structural elements of the building and submit a report on the corrections required to make the building safe.

**INTERIOR WALLS & CEILINGS:** Adobe and wood frame with plaster.

**CONDITION:** Bad – The walls and ceilings will need to be repaired, plastered and painted. A structural engineer should be hired to evaluate structural elements of the building and submit a report on the corrections required to make the building safe.

**ROOF STRUCTURE:** 2 x 6 wood joist and 2 x 8 wood rafters with build-up roofing.

**CONDITION:** Bad. A registered roofing contractor or building contractor must be hired to evaluate the roofing system and submit a report of required corrections to bring roof structure into code compliance.

**DOORS, WINDOWS, ETC.:** Wooden doors, and wood frame windows.

**CONDITION:** Poor. Will need to repair or replace all doors and windows so they are operational and meet egress requirements.

**MEANS OF EGRESS:** Does not meet current code requirements.

**CONDITION:** Poor – Windows need replacing or repairs done to make them operational.

**PLUMBING:** Extremely poor. A licensed plumber should be hired to replace system.

**ELECTRICAL:** Extremely poor. A licensed electrical contractor should be hired to bring system up to code.

**MECHANICAL:** Non-existent. A licensed mechanical contractor should be hired to make repairs to comply with code.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** none

**WARNING POSTED:** No

**BARRICADED:** No

**POLICE AID REQD.:** No

**REMARKS:** This is an open and abandoned single-family residence. The exterior walls are showing signs of advanced deterioration. The structure should be demolished and the property cleaned of all weed, trash and debris.



Leo Casso-Lopez  
Building Inspector

20040330 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 104434

ACCOUNT W88699902301600  
UNITS:01 03 06 07 08  
AGUILAR, LUISA N

AMT DUE AS OF: 20040330 ROLL R ALT OWN  
OMIT(-)/SEL(+)  
23 WOODLAWN  
S PT OF 6 & 7 (120 FT ON E, 50  
FT ON S, 100 FT ON W, 53.85 FT  
ON N) (HOMESITE) (3500 SQ FT)

1010 E CLIFF DR

EL PASO		TX 79902-4624		PARCEL ADDRESS		3718 E SAN ANTONIO	
ACRES	.0803						
YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	18476	XX	71.15	01/27/2004		71.15	.00
2002	18476	YY	70.43	01/15/2003		70.43	.00
2001	18476	YY	70.10	01/30/2002		70.10	.00
2000	18476	YY	68.03	09/27/2001	25.85	93.88	.00
1999	18476	YY	66.53	09/28/2000	25.28	91.81	.00
1998	18476	YY	66.53	07/27/1999	23.74	90.27	.00
1997	18476	YY	66.23	06/12/1998	9.95	76.18	.00

TOTAL		.00	.00	.00			
LAST PAYOR OWNER						PAGE TOTAL	.00
NOTE EXISTS						CUMULATIVE TOTAL	.00
ENTER NEXT ACCOUNT							

File Edit Options Window Help



Exit



New



Open



Task List



GBE



GIS



Close



View



Add



Delete



Sign Off



Print



Documents

Code Enforcement - COD04-01980 - Status REC

Name: AGUILAR, LUISA N

Updated: 2/10/2004

RL

General

Address: 3718 E SAN ANTONIO AVE

Description

Activity for COD04-01980

Open and

Description	Menu Code	Date1	Date2	Date3	Disp	Done By	Notes
30 Day Notice	C605			3/30/2004		LCL	Letter #3 sent on 2-10
Refer to Fire	B0040	2/12/2004	2/12/2004	2/19/2004	DONE	931	This is a masonry, wood
Enforcement Inv Report A5				2/10/2004			
Complaint Received	A0010			2/10/2004		RL	

Cor

Complain

Res

View / Edit Activity

Activity: 0040 Desc: Refer to Fire

Updated: 2/19/2004 931

Edit

Disposition: DONE

Hold Level: No hold

Sign Off

Dates

Date Referred: 2/12/2004

Calendar Tag: FDCM

Date 2

Date Received: 2/12/2004

Report Tag:

Assigned To: 931

OK

Date Completed: 2/19/2004

Done By: 931

Help

Notes:

This is a masonry, wood frame structure. It is unoccupied and unsecured at this time. Broken or open doors, wood and dry vegetation build up in yard. This is a life, health and safety and must be secured until demolition can be carried out, as soon as

X-Coordinate:

Y-Coordinate:


**EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT**

**ENVIRONMENTAL HEALTH**

**M E M O R A N D U M**

**DATE:** February 17, 2004

**MEMO TO:** Tom Maguire, Housing Compliance Supervisor

**FROM:** Jorge Ramirez, Sr. Environmental Health Inspector 

**SUBJECT:** Condemnation Report

**RE:** 3718 E. San Antonio Ave. 79905

An inspection of the property was conducted on February 16, 2004 and the conditions checked were found in violation of Title 9 - Health and Safety, El Paso Municipal Code.

**SECTION 9.04 - SOLID WASTE STORAGE AREA:**  
N/A

**SECTION 9.04.340 - ACCUMULATIONS:**  
Of trash, broken glass and tall vegetation were seen outside the structure.  
Inside the structure old broken furniture, trash, clothes and old appliances were seen.

**SECTION 9.16 - NUISANCE:**  
Foul odors were detected inside the structure.

**SECTION 9.16.010 - DESIGNATED:**  
N/A

**SECTION 9.28 - RAT CONTROL:**  
The structure is decaying and completely open. This condition serves as a potential vermin harborage.

If you require additional assistance on this matter, please call me at (915) 860-2378 or Fax (915) 860-1081.